

**FIFTY-FIRST LEGISLATIVE DAY
TUESDAY, FEBRUARY 28, 2006**

House of Representatives

The House convened at 10:30 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Michael Kelsey, Page.

Approval of Journal

February 28, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Fiftieth Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

There being no objection, the House advanced to the Twelfth Order of Business.

Consideration of General Orders

Mr. Denney moved that the House do now resolve itself into a Committee of the Whole House for the consideration of General Orders. Seconded by Ms. Jaquet. Motion carried.

Whereupon the House resolved itself into a Committee of the Whole House for the consideration of General Orders with Mr. Moyle in the Chair.

When the Committee of the Whole House rose, the Speaker returned to the Chair and the House was in order.

Report of the Committee of the Whole House

February 28, 2006

Mr. Speaker:

We, your COMMITTEE OF THE WHOLE HOUSE, report that we have had under consideration **H 472, H 630, H 613, H 562, H 634, H 611, H 656, and H 565** and report them back without recommendation, amended as follows:

HOUSE AMENDMENT TO H 472

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 33, delete ", but the" and delete lines 34 through 37 and insert: ". .".

HOUSE AMENDMENT TO H 630

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 12, following "threatens" insert: "on school grounds".

HOUSE AMENDMENT TO H 613

AMENDMENTS TO SECTION 1

On page 2 of the printed bill, in line 33, delete "commonly known as"; and in line 34, delete "hydrocodone".

HOUSE AMENDMENT TO H 562

AMENDMENTS TO SECTION 1

On page 1 of the printed bill, in line 25, following "Code" insert: ", except as provided in subsection (3) of this section"; in line 34, delete "vehicle or"; and in line 37, following "business" insert: "as long as the power unit is properly licensed under chapter 4, title 49, Idaho Code".

CORRECTIONS TO TITLE

On page 1, in line 7, delete "VEHICLE OR"; and in line 10, following "BUSINESS" insert: "AS LONG AS THE POWER UNIT IS PROPERLY LICENSED UNDER CHAPTER 4, TITLE 49, IDAHO CODE".

HOUSE AMENDMENT TO H 634

AMENDMENTS TO SECTION 1

On page 1 of the printed bill, in line 17, delete "explanation,"; in line 18, delete "benevolence which are" and insert: "benevolence, including any accompanying explanation,"; in line 19, following "professional" insert: "to a patient or family member or friend of a patient"; and delete lines 25 through 27 and insert:

"(2) A statement of fault which is otherwise admissible and is part of or in addition to a statement identified in subsection (1) of this section shall be admissible."

HOUSE AMENDMENT TO H 611

AMENDMENTS TO SECTION 1

On page 1 of the printed bill, in line 10, delete "history and physical"; and in line 13, following "consultation" insert: "outside of an ongoing clinical relationship".

HOUSE AMENDMENT TO H 656

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 38, delete "except that" and insert: ", except that Provided however, in the event of a tie vote, the measure shall fail, and provided further,".

CORRECTION TO TITLE

On page 1, in line 4, following "COMMISSION" insert: "AND TO PROVIDE FOR TIE VOTES".

HOUSE AMENDMENT TO H 565

AMENDMENTS TO SECTION 2

On page 1 of the printed bill, in line 30, delete "(+)" and insert: "(1)"; and delete lines 36 through 40 and insert:

"(2) Any individual who holds a valid Idaho nursing home administrator's license and is in good standing according to the provisions of chapter 16, title 54, Idaho Code, ~~shall~~ may be deemed to meet the requirements for issuance of a residential care facility administrator's license and ~~shall~~ may be issued one, upon application and payment of appropriate fees."

CORRECTION TO TITLE

On page 1, delete lines 5 and 6 and insert: "CODE, TO REVISE PROVISIONS APPLICABLE TO THE ISSUANCE OF A RESIDENTIAL CARE FACILITY ADMINISTRATOR'S LICENSE; AND AMENDING SEC-".

We have also had under consideration **H 677**, **H 519**, and **H 450**, report progress and beg leave to sit again.

MOYLE, Chairman

Mr. Moyle moved that the report be adopted. Seconded by Mr. Denney.

Whereupon the Speaker declared the report adopted.

H 472, as amended, **H 630**, as amended, **H 613**, as amended, **H 562**, as amended, **H 634**, as amended, **H 611**, as amended, **H 656**, as amended, and **H 565**, as amended, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

H 677, **H 519**, and **H 450** were retained on General Orders.

The amendments were referred to Judiciary, Rules, and Administration committee for printing.

There being no objection, the House returned to the Fourth Order of Business.

Consideration of Messages from the Governor and the Senate

Mrs. Field(18) asked unanimous consent that **H 519** be returned to the Judiciary, Rules, and Administration Committee. There being no objection, it was so ordered.

February 27, 2006

Mr. Speaker:

I return herewith enrolled **HCR 34** which has been signed by the President.

WOOD, Secretary

Enrolled **HCR 34** was referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

February 27, 2006

Mr. Speaker:

I transmit herewith **S 1396**, **S 1385**, **S 1391**, **S 1403**, **S 1397**, and **S 1413** which have passed the Senate.

WOOD, Secretary

S 1396, **S 1385**, **S 1391**, **S 1403**, **S 1397**, and **S 1413** were filed for first reading.

February 27, 2006

Mr. Speaker:

I return herewith **H 435** and **H 451** which have passed the Senate.

WOOD, Secretary

H 435 and **H 451** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

February 28, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **HCR 54**, **H 740**, **H 741**, and **H 742**.

FIELD(18), Chairman

H 740 was referred to the Revenue and Taxation Committee.

H 741 was referred to the State Affairs Committee.

H 742 was referred to the Education Committee.

HCR 54 was filed for second reading.

February 28, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 413** and **H 434**.

FIELD(18), Chairman

The Speaker announced he was about to sign enrolled **H 413** and **H 434**, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

February 28, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **HJM 10** and **HJM 11** to the Secretary of State at 11:37 a.m., as of this date, February 27, 2006.

FIELD(18), Chairman

February 27, 2006

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration **S 1364** and recommend it be referred to the Environment, Energy, and Technology Committee.

WOOD, Chairman

S 1364 was referred to the Environment, Energy, and Technology Committee.

February 27, 2006

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 693** and **H 706** and recommend that they do pass.

CROW, Chairman

H 693 and **H 706** were filed for second reading.

February 27, 2006

Mr. Speaker:

We, your COMMITTEE ON COMMERCE AND HUMAN RESOURCES, report that we have had under consideration **S 1268**, **S 1269**, **S 1270**, **S 1271**, and **S 1272** and recommend that they do pass.

SCHAEFER, Chairman

S 1268, **S 1269**, **S 1270**, **S 1271**, and **S 1272** were filed for second reading.

February 27, 2006

Mr. Speaker:

We, your COMMITTEE ON COMMERCE AND HUMAN RESOURCES, report that we have had under consideration **H 728** and recommend it be referred to the Revenue and Taxation Committee.

SCHAEFER, Chairman

H 728 was referred to the Revenue and Taxation Committee.

February 27, 2006

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration **H 653** and **S 1256** and recommend that they do pass.

BLACK, Chairman

H 653 and **S 1256** were filed for second reading.

February 27, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **H 716**, **S 1302**, **S 1304**, and **S 1303** and recommend that they do pass.

FIELD(18), Chairman

H 716, **S 1302**, **S 1304**, and **S 1303** were filed for second reading.

February 27, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **H 713** and report it back with amendments attached to be placed on General Orders for consideration.

FIELD(18), Chairman

H 713 was placed on General Orders for consideration.

February 27, 2006

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration **S 1258** and **S 1259** and recommend that they do pass.

STEVENSON, Chairman

S 1258 and **S 1259** were filed for second reading.

February 28, 2006

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **HCR 47** and recommend that it do pass.

DEAL, Chairman

HCR 47 was filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 743 BY WAYS AND MEANS COMMITTEE AN ACT

RELATING TO THE SCHOOL FACILITIES IMPROVEMENT ACT; PROVIDING LEGISLATIVE FINDINGS AND INTENT; AMENDING SECTION 6-2212, IDAHO CODE, TO PROVIDE REFERENCES TO THE APPOINTING AUTHORITY OF THE STATE BOARD OF EDUCATION AND TO THE SUPERINTENDENT OF PUBLIC INSTRUCTION AND TO MAKE TECHNICAL CHANGES; AMENDING SECTION 33-905, IDAHO CODE, TO PROVIDE PROPER TERMINOLOGY, TO DELETE OBSOLETE LANGUAGE, TO PROVIDE FOR DISTRIBUTION OF ADDITIONAL MONEYS, TO REQUIRE USE OF PAYMENTS FROM THE SCHOOL DISTRICT BUILDING ACCOUNT AND TO DELETE CERTAIN REPORTING REQUIREMENTS; AMENDING SECTION 33-906, IDAHO CODE, TO REMOVE THE LIMITATION ON STATE FINANCIAL ASSISTANCE ONLY FOR THE INTEREST COST PORTION OF THE ANNUAL BOND INTEREST AND REDEMPTION PAYMENT AND TO PROVIDE FOR CERTAIN APPLICATION TO SCHOOL DISTRICTS WITH AN INDEX VALUE OF LESS THAN ONE AND ONE-HALF; AMENDING SECTION 33-907, IDAHO CODE, TO PROVIDE CODE REFERENCES; AMENDING CHAPTER 9, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-909, IDAHO CODE, TO PROVIDE A PUBLIC SCHOOL FACILITIES COOPERATIVE FUNDING PROGRAM AND TO CREATE A PUBLIC SCHOOL FACILITIES COOPERATIVE FUND; AMENDING CHAPTER 10, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1018B, IDAHO CODE, TO PROVIDE FOR SCHOOL BUILDING MAINTENANCE MATCHING FUNDS; AMENDING CHAPTER 10, TITLE 33, IDAHO CODE, BY

THE ADDITION OF A NEW SECTION 33-1019, IDAHO CODE, TO REQUIRE SCHOOL DISTRICTS TO ANNUALLY DEPOSIT AN AMOUNT EQUAL TO A MINIMUM OF TWO PERCENT OF THE REPLACEMENT VALUE OF SCHOOL BUILDINGS TO A SCHOOL BUILDING MAINTENANCE FUND LESS THE AMOUNT DEPOSITED FROM STATE FUNDS, TO PROVIDE FOR CALCULATION OF THE STATE'S APPROPRIATION, TO PROVIDE FOR A STATE APPROPRIATION, TO PROVIDE FOR USE OF THE FUND MONEYS AND TO PROVIDE DEFINITIONS; AMENDING CHAPTER 80, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-8006A, IDAHO CODE, TO DIRECT THE ADMINISTRATOR OF THE DIVISION OF BUILDING SAFETY AND THE STATE DEPARTMENT OF EDUCATION TO DRAFT A BEST PRACTICES MAINTENANCE PLAN FOR SCHOOL BUILDINGS; AMENDING SECTION 39-8011, IDAHO CODE, TO PROVIDE A CONDITION UNDER WHICH THE ADMINISTRATOR SHALL SUBMIT AN APPLICATION TO THE PUBLIC SCHOOL FACILITIES COOPERATIVE FUND PANEL TO ABATE AN IDENTIFIED SAFETY HAZARD; AMENDING SECTION 63-2520, IDAHO CODE, TO PROVIDE THAT AN AMOUNT EQUAL TO THE ANNUAL GENERAL FUND APPROPRIATION FOR BOND LEVY EQUALIZATION SHALL BE ANNUALLY DISTRIBUTED TO THE GENERAL FUND; TRANSFERRING AND APPROPRIATING \$25,000,000 FROM THE GENERAL FUND TO THE PUBLIC SCHOOL FACILITIES COOPERATIVE FUND; AND PROVIDING NONSEVERABILITY WITH EXCEPTIONS.

HOUSE BILL NO. 744

BY REVENUE AND TAXATION COMMITTEE

AN ACT

RELATING TO EXEMPTIONS FROM THE SALES AND USE TAX; AMENDING SECTION 63-3622O, IDAHO CODE, TO PROVIDE THAT PROJECT P.A.T.C.H., PLANNED ASSISTANCE FOR TROUBLED CHILDREN, SHALL BE INCLUDED IN THE DEFINITION OF "HEALTH RELATED ENTITIES" AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 745

BY REVENUE AND TAXATION COMMITTEE

AN ACT

RELATING TO INCOME TAX CREDITS; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3029K, IDAHO CODE, TO DEFINE TERMS AND TO PROVIDE AN INCOME TAX CREDIT FOR LIVE ORGAN DONATION EXPENSES INCURRED BY A TAXPAYER AND PROVIDING A LIMIT, TO PROVIDE RULES AND TO PROVIDE CARRY FORWARD AUTHORITY.

HOUSE BILL NO. 746

BY APPROPRIATIONS COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE; AMENDING SECTION 1, CHAPTER 347, LAWS OF 2005, TO REVISE

THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR PUBLIC HEALTH SERVICES IN THE PHYSICAL HEALTH SERVICES PROGRAM; AMENDING SECTION 3, CHAPTER 347, LAWS OF 2005, TO REVISE THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR PUBLIC HEALTH SERVICES IN THE EMERGENCY MEDICAL SERVICES PROGRAM; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 747

BY APPROPRIATIONS COMMITTEE

AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE CATASTROPHIC HEALTH CARE COST FUND FOR FISCAL YEAR 2006; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 748

BY APPROPRIATIONS COMMITTEE

AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR SERVICES FOR THE DEVELOPMENTALLY DISABLED IN THE COMMUNITY DEVELOPMENTAL DISABILITY SERVICES PROGRAM FOR FISCAL YEAR 2006; PROVIDING THAT THE STATE CONTROLLER SHALL MAKE TRANSFERS FROM THE GENERAL FUND; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 749

BY EDUCATION COMMITTEE

AN ACT

RELATING TO SCHOLARSHIPS; AMENDING SECTION 33-4304, IDAHO CODE, TO REVISE PUBLIC POLICY TO RECOGNIZE THE SHORTAGE OF TRAINED MATH AND SCIENCE TEACHERS AVAILABLE TO OUR SCHOOLS AND TO STATE THE INTENTION OF PROVIDING SCHOLARSHIPS TO ELIGIBLE INDIVIDUALS IF THEY AGREE TO TEACH MATH OR SCIENCE COURSES FOR A MINIMUM OF FOUR YEARS IN IDAHO SCHOOLS; AMENDING SECTION 33-4305, IDAHO CODE, TO REVISE PURPOSES; AMENDING SECTION 33-4306, IDAHO CODE, TO FURTHER DEFINE TERMS; AMENDING SECTION 33-4307, IDAHO CODE, TO PROVIDE GRANTS FOR CATEGORY C STUDENTS, TO PROVIDE REQUIREMENTS FOR CATEGORY C STUDENTS, TO PROVIDE CORRECT CODE REFERENCES AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 33-4308, IDAHO CODE, TO PROVIDE THE MAXIMUM NUMBER OF GRANTS FOR CATEGORY C STUDENTS; AND AMENDING SECTION 63-3638, IDAHO CODE, TO REMIT TWENTY MILLION DOLLARS ANNUALLY TO THE STATE BOARD OF EDUCATION AND THE BOARD OF REGENTS OF THE UNIVERSITY OF IDAHO TO PAY FOR SCHOLARSHIPS IN MATHEMATICS AND SCIENCE FOR CATEGORY C STUDENTS.

HOUSE BILL NO. 750

BY EDUCATION COMMITTEE

AN ACT

RELATING TO STUDENT HARASSMENT, INTIMIDATION AND BULLYING; AMENDING SECTION 33-205, IDAHO CODE, TO PROVIDE THAT SUPERINTENDENTS AND PRINCIPALS MAY TEMPORARILY SUSPEND PUPILS FOR STUDENT HARASSMENT, INTIMIDATION OR BULLYING; AMENDING SECTION 33-512, IDAHO CODE, TO PROVIDE ADDITIONAL POWERS AND DUTIES FOR BOARDS OF TRUSTEES; AND AMENDING CHAPTER 9, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-917A, IDAHO CODE, TO PROHIBIT STUDENT HARASSMENT, INTIMIDATION OR BULLYING OF ANOTHER STUDENT, TO DEFINE TERMS AND TO PROVIDE THAT ANY STUDENT WHO COMMITS OR CONSPIRES TO COMMIT AN ACT OF HARASSMENT, INTIMIDATION OR BULLYING SHALL BE GUILTY OF A MISDEMEANOR.

HOUSE BILL NO. 751
BY EDUCATION COMMITTEE
 AN ACT

RELATING TO POSTSECONDARY EDUCATION LOANS; AMENDING CHAPTER 43, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-4317, IDAHO CODE, TO STATE LEGISLATIVE INTENT, TO CREATE AN IDAHO MATH AND SCIENCE TEACHER LOAN PROGRAM, TO PROVIDE FOR PROCEDURES, TO PROVIDE FOR LOAN FORGIVENESS, TO CREATE AN IDAHO MATH AND SCIENCE TEACHER LOAN FUND IN THE STATE TREASURY WITH A ONE TIME APPROPRIATION OF FIVE MILLION DOLLARS AND TO DEFINE TERMS.

HOUSE BILL NO. 752
BY EDUCATION COMMITTEE
 AN ACT

RELATING TO THE IDAHO STATE BOARD OF EDUCATION; AMENDING SECTION 33-120, IDAHO CODE, TO PERMIT THE BOARD TO ADOPT RULES TO PROVIDE FOR A STUDENT INFORMATION MANAGEMENT SYSTEM; AMENDING SECTION 33-210, IDAHO CODE, TO PROVIDE A CODE REFERENCE; AMENDING SECTION 33-512, IDAHO CODE, TO REMOVE REFERENCE TO THE STUDENT INFORMATION MANAGEMENT SYSTEM AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-515, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 33-1001, IDAHO CODE, TO REMOVE THE DEFINITION FOR THE STUDENT INFORMATION MANAGEMENT SYSTEM AND FOR RELATED DEFINITIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-1004G, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AND AMENDING SECTION 33-1204, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE.

H 743, H 744, H 745, H 746, H 747, H 748, H 749, H 750, H 751, and H 752 were introduced, read the first time by title,

and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1396, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Agricultural Affairs Committee.

S 1385 and **S 1391**, by Resources and Environment Committee, were introduced, read the first time by title, and referred to the Resources and Conservation Committee.

S 1403 and **S 1397**, by Judiciary and Rules Committee, were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

S 1413, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Commerce and Human Resources Committee.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

H 729, by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

H 567, H 614, and H 619, by Health and Welfare Committee, were read the second time by title and filed for third reading.

H 727, by Transportation and Defense Committee, was read the second time by title and filed for third reading.

H 707, H 711, and H 718, by State Affairs Committee, were read the second time by title and filed for third reading.

H 684, by Education Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

H 412 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Brackett to open debate.

The question being, "Shall **H 412** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydallch, Sali(Sali), Sayler, Schaefer, Shepherd(2), Shepherd(8),

Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- Field(18). Total -- 1.

Total -- 70.

ATTEST:

PAMM JUKER, Chief Clerk

Whereupon the Speaker declared **H 412** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney asked unanimous consent that **H 485** be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

H 485 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Roberts to open debate.

Mr. Roberts asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **H 485**. There being no objection, it was so ordered.

The question being, "Shall **H 485** pass?"

Roll call resulted as follows:

AYES -- Andrus, Bayer, Bedke, Bilbao, Black, Bradford, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Field(18), Garrett, Harwood, Lake, McGeachin, McKague, Miller, Nonini, Roberts, Rydalch, Schaefer, Shepherd(8), Skippen, Smith(24), Smylie, Snodgrass. Total -- 30.

NAYS -- Anderson, Barraclough, Barrett, Bastian, Bell, Block, Boe, Bolz, Brackett, Cannon, Eskridge, Field(23), Hart, Henbest, Henderson, Jaquet, Kemp, LeFavour, Loertscher, Martinez, Mathews, Mitchell, Moyle, Nielsen, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Sali(Sali), Sayler, Shepherd(2), Shirley, Smith(30), Stevenson, Trail, Wills, Mr. Speaker. Total -- 39.

Absent and excused -- Wood. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 485** failed to pass the House and ordered the bill filed in the Office of the Chief Clerk.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 10:30 a.m., Wednesday, March 1, 2006. Seconded by Mr. Sayler. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:26 p.m.

BRUCE NEWCOMB, Speaker